

## USDA Risk Management Agency FY 2004 Annual FOIA Report

Sections I. Basic Information, II. How to Make a FOIA Request, and III. Definitions of Terms, will be completed by the Office of Communications.

### IV. Exemption 3 Statutes

#### A. List of Exemption 3 statutes relied on by agency during current fiscal year:

1. Brief description of type(s) of information withheld under each statute.
2. Statement of whether a court has upheld the use of each statute. If so cite example.

### V. Initial FOIA/PA Access Requests

#### A. Number of Initial Requests: *(include all access requests, whether first party or third party)* *(NOTE: The total of Lines 1 and 2, minus Line 3, should equal Line 4.)*

1. Number of requests pending at end of FY 03	<u>0</u>
2. Number of requests received during FY 04	<u>88</u>
3. Number of requests processed during FY 04	<u>81</u>
4. Number of requests pending at end of FY 04	<u>7</u>

#### B. Disposition of Initial Requests: *(NOTE: The total of Lines 1, 2, 3, and 4 should equal the number of requests processed shown in Line 3 of Part A.)*

1. Number of total grants	<u>27</u>
2. Number of partial grants	<u>13</u>
3. Number of denials	<u>20</u>
a. Number of times each FOIA exemption used: <i>(count each exemption once per request)</i>	
(1) Exemption 1	<u>0</u>
(2) Exemption 2	<u>0</u>
(3) Exemption 3	<u>0</u>
(4) Exemption 4	<u>4</u>
(5) Exemption 5	<u>21</u>
(6) Exemption 6	<u>13</u>
(7) Exemption 7(A)	<u>0</u>
(8) Exemption 7(B)	<u>0</u>
(9) Exemption 7(C)	<u>1</u>
(10) Exemption 7(D)	<u>0</u>
(11) Exemption 7(E)	<u>2</u>

(12) Exemption 7(F) 0  
(13) Exemption 8 0  
(14) Exemption 9 0

4. Other reasons for nondisclosure: (total) 28  
a. No records 6  
b. Referred elsewhere (See Note) 5  
c. Request withdrawn 3  
d. Fee-related reason 0  
e. Records not reasonably described 0  
f. Not a proper FOIA request for some reason 0  
g. Not an agency record 0  
h. Duplicate request 0  
i. Other (specify) 14

*(Note: Do not count requests referred within your agency in this category, it pertains only to requests that are referred outside of your agency)*

## **VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS (includes all access requests, whether first-party or third-party).**

### **A. Number of Appeals:**

1. Number of appeals received during FY 04 4  
2. Number of appeals processed during FY 04 2

### **B. Disposition of Appeals:**

1. Number completely upheld 1  
2. Number partially reversed 0  
3. Number completely reversed 1

a. Number of times each FOIA exemption used: *(count each exemption once per appeal)*

(1) Exemption 1 0  
(2) Exemption 2 0  
(3) Exemption 3 0  
(4) Exemption 4 1  
(5) Exemption 5 3  
(6) Exemption 6 0  
(7) Exemption 7(A) 0  
(8) Exemption 7(B) 0  
(9) Exemption 7(C) 0  
(10) Exemption 7(D) 0  
(11) Exemption 7(E) 1  
(12) Exemption 7(F) 0

(13) Exemption 8 0  
(14) Exemption 9 0

4. Other reasons for nondisclosure (total): 0  
a. No records 0  
b. Referred elsewhere 0  
c. Request withdrawn 0  
d. Fee-related reason 0  
e. Records not reasonably described 0  
f. Not a proper FOIA request for some reason 0  
g. Not an agency record 0  
h. Duplicate request 0  
i. Other (specify) 0

## VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS.

**A. Median Processing Time For Requests:** *(Example for calculation of median: Given 7 requests completed during the fiscal year, aged 10, 25, 35, 65, 75, 80, and 400 days from date of perfection to date of completion, the total number of requests completed during the fiscal year would be 7 and the median age of the completed requests would be 65 days.)*

1. Simple requests (if multiple tracks used)  
a. Number of requests processed 73  
b. Median number of days to process 20  
  
2. Complex requests (specify for any and all tracks used)  
a. Number of requests processed 7  
b. Median number of days to process 60  
  
3. Requests accorded expedited processing  
a. Number of requests processed 1  
b. Median number of days to process 5

**(NOTE: The number of requests listed in the different tracks must equal the number of requests processed from section A, Line 3.)**

**B. Status of Pending Requests:** *(Agencies using multiple tracks may provide numbers for each track as well as totals.)*

1. Number of requests pending at end of FY 04 7
2. Median number of days requests were pending at end of FY 04 30

**VIII. COMPARISONS WITH PREVIOUS YEAR(S) (Optional)**

**E. Describe Agency Efforts To:**

1. Improve timeliness: Setting deadlines for field offices to respond to documents and establishing a review process. More communication time spent with requestors.
2. Reduce backlog: Using different tracking procedures according to complexity of request.
3. Provide training: *Personnel attended all available training and conferences and provided field offices with updated FOIA guidelines.*
4. Add new categories of records -

**IX. COSTS/FOIA STAFFING.**

**A. Staffing Levels:**

1. Number of full-time FOIA personnel 1
2. Number of personnel with part-time or occasional FOIA duties (in work-years) .05
3. Total number of personnel (Work-years) 1.05

**B. Total Costs:** *(include staff and all resources) (Note: Use +20% for overhead.)*

1. FOIA processing (including appeals) 0
2. Litigation-related activities (estimated) 0
3. Total costs 93,764
4. Comparison with previous year(s) (optional) 0

**C. Statement of additional resources needed for FOIA compliance (optional).**

**X. FEES: (includes charges for search, review, document duplication, and any other direct costs permitted under agency regulations.)**

- A. Total amount of fees collected for processing requests \$1,0000
- B. Percentage of total costs 2 percent

**XI. FOIA REGULATIONS: (including Fee Schedule):** \_\_\_\_\_